

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

15-07-292

(Inmate Number)

William R Trindle Jr

(Name of Plaintiff)

99 Water Street

(Address of Plaintiff)

Wilkes-Barre PA 18702

VS.

Kevin Gallagher

Sam Hyder

Susan R. Watt

(Names of Defendants)

1:17cv1173

(Case Number)

COMPLAINT

FILED
SCRANTON

JUL 05 2017

PER [Signature]
DEPUTY CLERK

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS

☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. Previous Lawsuits

- A. If you have filed any other lawsuits in federal court while a prisoner please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

II. Exhaustion of Administrative Remedies

- A. Is there a grievance procedure available at your institution?

☒ Yes ☐ No

- B. Have you filed a grievance concerning the facts relating to this complaint?

☒ Yes ☐ No

If your answer is no, explain why not

I corresponded directly
with the Defendants on numerous occasions, see
Attached.

- C. Is the grievance process completed? ☒ Yes ☐ No

III Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item B for the names, positions and places of employment of any additional defendants.)

- A. Defendant Captain Kevin Gallagher is employed as Correctional Officer at Luzerne County Correctional Facility
- B. Additional defendants Deputy Warden Sam Hyder, Luzerne County Correctional Facility. Deputy Warden Susan R. Watt, Clinton County Correctional Facility

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

1. I was taken to Danville Geisinger Hospital on March 4th 2017, from Clinton County Correctional Facility for emergency back surgery, I was housed there at Clinton County, but I was a Luzerne County inmate. At first I was guarded and in the custody of, Continued on Attached paper.
2. At Danville, after my custody transfer, when I did not see my property, I was told arrangements were made with Captain Gallagher for my property to be transferred back to Luzerne County with me. A call placed to Captain Gallagher by my guarding C/O See Attached for continuance.
3. After getting nowhere with Capt. Gallagher, and still not receiving my property, I wrote Dep. Warden Sam Hyder, he pushed the responsibility on me telling me to write Clinton County Correctional Facility and ask them to mail my legal work See attached.

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I want the courts to make Luzerne County Correctional Facility, and Captain Gallagher, to make good on his arrangement, and have my property brought to me here at Luzerne County Correctional Facility
2. I would like for Sam Hyde to also see that my property, be brought here to Luzerne County Correctional Facility from Clinton County as soon as possible.
3. I want to make sure Dep Warden Watt does not have my property destroyed, before it can be brought here as the legal documents there included some one of a kind documents. All three defendants, should also have to pay all fees I inquire as a result of filing this civil suit.

Signed this 18th day of June, 2017.

Wm Zwick Jr

(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

6-18-2017

(Date)

Wm Zwick Jr

(Signature of Plaintiff)

1. Clinton County, Approx. March 9th, custody was transferred back to Luzerne County Correctional Facility. I asked them about my legal work and property at Clinton County and was told Dep. Warden Watt, had made arrangements with Captain Gallagher, that my property would be brought to me at Luzerne County. Instead of receiving my property and legal work, I received notice June 10th 2017 that my property would be destroyed. I was in there custody and I believe it is there responsibility to send my property and legal work along with me, and my Civil Rights are being violated by keeping me from my legal work, which I need for current legal issues, preventing from aiding in my own defense.

2. Confirmed the arrangements with Captain Gallagher. When I arrived at Luz. Co. Correctional Facility my property was not there, I wrote Capt. Gallagher, and was told it would be picked up on next Clinton County Run. Recently I wrote Capt Gallagher, because I needed my legal work to build a defense in current legal proceedings, and was told different answers, some not even making sense, see attached. Again my Civil Rights are being violated as I being denied access to my legal work, that should have been transferred with me to Luzerne County from Clinton County, as I'm in there

Custody.

3. I don't believe it was my responsibility to get my property shipped, being the transfer of my property is the responsibility of the counties who have custody of me. To satisfy all options, I did Ask Clinton County in a letter to send me my property and legal work. It was not sent or mailed me. Dep Warden, Hyder, went against the arrangements already made between Capt Gallagher and Clinton Co. pushing the responsibility to me. Again he denied me access to my legal work, violating my civil rights, preventing me access to materials needed in my defense in current legal proceedings.

INMATE REQUEST FORM

(PRINT ALL INFORMATION)

INMATES; FILL IN THIS SECTION

NAME:

(LAST; FIRST)

Trindle, William

DATE:

4-24-2017

ADMISSION DATE

Module & Cell Number

S2-Infirmery

I REQUEST TO SEE:

Capt. Gallagher

WARDEN

DEP WARDEN

MAJOR

CAPTAIN

LIEUTENANT

DESK SGT.

SERGEANT

CORPORAL

LIBRARIAN

PSYCH. DEPT.

DOCTOR

NURSE

COUNSELOR

WORK RELEASE

PUB. DEFENDER

NOTARY

BONDSMAN

TEACHER

REASON: I wrote to you on 4-24, regarding my property at Clinton Co., but you responded something about my medical treatment. Sir its been 9 weeks since leaving Clinton County and I still don't have my property. I am concerned for two reasons, first I need the legal work there to file petitions needed to retain custody of my son, and have a specific period set by the courts to do so, and also I'm concerned Clinton Co. will eventually destroy my property and there is 2 yrs. worth of one of kind legal work, pictures, and letters. Because no one is certain of the next Clinton County. Can it be arranged for my property to be be mailed here? Please Sir, its very important to me and my legal work or I would not ask. Thank you for your help.

DO NOT WRITE BELOW THIS LINE

XX

DATE REQUEST ANSWERED: 5-9-17

INTERVIEWED

CORRESPONDENCE

ANSWER:

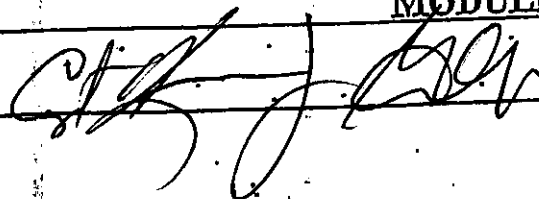
As soon as we make a trip to Clinton County, we will return your property.

REFERRAL SENT TO:

RETURN TO INMATE:

MODULE CELL

SIGNATURE OF STAFF:



Wm Trindle - 2D1-Cell

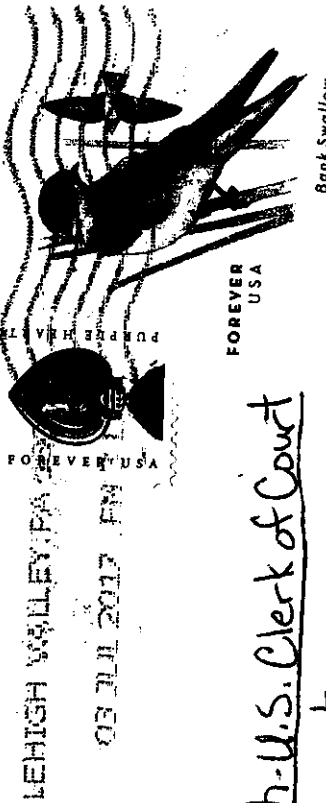
LCCF

99 Water Street

Wilkes-Barre PA

18702

This correspondence is from a county
correctional facility and the sender is an
inmate. The contents have not been
checked. Luzerne County Correctional
Facility is not responsible for the
contents or for debts.



Attn: Peter J. Welsh - U.S. Clerk of Court

U.S. District Court

Middle District of Pennsylvania

PO Box 1148

235 N. Washington Avenue

Scranton PA 18501-1148

18501-500199 *

JUL 05 2017

PER [Signature] [Barcode]

RECEIVED